



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/909,001	08/08/1997	FULPS VINCENTINUS VERMEER	CASE-2	1102

22897 7590 04/23/2002

JASON PAUL DEMONT  
DEMONT & BREYER LLC  
PO BOX 7490  
SHREWSBURY, NJ 07702

EXAMINER

TRAN, PABLO N

ART UNIT

PAPER NUMBER

2684

DATE MAILED: 04/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

145

<b>Office Action Summary</b>	Application No. 08/909,001	Applicant(s) VERMEER, FULPS VINCENTINUS	
	Examiner Pablo N Tran	Art Unit 2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 08 January 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) 12-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 01/18/02 have been fully considered but they are not persuasive.
2. In response to the Applicant's arguments, the Applicant's stated that "neither *Huttunen et al.*, *Kodama*, nor *Mallien, II*, alone or in combination, teach or suggested a baseband signal from the radio for activating a first indicator to indicate to user the terminal is transmitting and a second indicator to indicate to user the terminal is receiving".

*Huttunen et al.* disclose base band signals from the radio for data tx/rx and control signals (fig. 2/no. 10, col. 30-34, col. 5/ln. 50-59) but do not specifically disclose an indicator for receiving and an indicator for transmitting to indicate status of the device to the user. *Kodama* disclose an indicator for receiving (fig. 3/no. 21E, col. 8/ln. 4-24) and *Mallien, II* disclose an indicator for transmitting (fig. 3B/no. 120, col. 5/ln. 26-29).

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

Art Unit: 2684

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-7, and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Huttunen et al.* (5,903,850) in view of *Kodama* (5,805,998) and further in view of *Mallien, II* (4,122,304).

As per claims 1-2, 4-7, and 9-11, *Huttunen et al.* disclose a wireless terminal comprising:

- an antenna (fig. 7/no. 2,32);
- a radio (fig. 7/no. 1,31);
- a cable (fig. 2/no. 6,8, fig. 4/no. 6,38) that is detachably connected to said radio and that is also connected to said antenna for carrying an RF signal (fig. 2/no. 9, fig. 4/no. 39) and for carrying a baseband signal (fig. 2/no. 10, col. 3/ln. 20-30) from said radio to said indications (col. 3/ln. 20-col. 6/ln. 12).

*Huttunen et al.* disclose data tx/rx and control signals (col. 5/ln. 50-59) but do not specifically disclose a first visual indicator that indicates to a user of said wireless terminal when a radio is receiving. *Kodama* disclose an indicator that indicates to a user of said terminal when a radio is receiving (fig. 3/no. 21E, col. 8/ln. 4-24). Therefore, it would have been obvious to one of ordinary skill in the art at the time to provide a receiving indicator of *Kodama* to the mobile phone of *Huttunen et al.* in order for the user to easily determine the status of the call at any given time

*Huttunen et al.* in view of *Kodama* disclose data tx/rx and control signals (col. 5/ln. 50-59) but do not specifically disclose a second visual indicator that indicates to a user of said wireless terminal when a radio is transmitting. *Mallien, II* discloses an indicator that indicates to a user of said terminal when a radio is transmitting (fig. 3B/no. 120, col. 5/ln. 26-29). Therefore, it would have obvious to one of ordinary skill in the art at the time to provide a transmitting indicator of *Mallien, II* to the mobile phone of *Huttunen et al.* in view of *Kodama* in order for the user to easily determine the status of the call at any given time.

5. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Huttunen et al.* (5,903,850) in view of *Kodama* (5,805,998) and *Mallien, II* (4,122,304) and further in view of *Stein* (5,628,055).

As per claim 3 and 8, *Huttunen et al.* in view of *Kodama* and *Mallien, II* teaching lack said radio is integral to a PC radio card. *Stein* discloses said radio is integral to a PC radio card (fig. 10/no. 131). Therefore, it would have obvious to one of ordinary skill in the art at the time to provide a modular radio communications system as taught by

Art Unit: 2684

*Stein* to the mobile phone of *Huttunen et al.* in view of *Kodama* and *Mallien, II.* in order to enable PC readily radio communicate with other networks,

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kyle. (4,186,342) and Barringer et al. (3,939,421) disclose method and apparatus for wireless communications system.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pablo Tran whose telephone number is (703)308-7941. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Hunter, can be reached at (703)308-6732.

### **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

### **or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).


Art Unit: 2684

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

April 16, 2002

Pablo Tran

Examiner, Art Unit 2684

  
DANIEL HUNTER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600